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Nombre de pages incluant celle-ci /
Number of pages including cover letter :
L'original sera posté / Original to follow
by mail

5

NO

Date :

February 23, 2005

Expéditeur / From :

Christian Cawthorn / Ilsa Wyse

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2005 FEB 23 P 2:30

| Destinataire / To | Entreprise / Company | Ville / City | Télécopieur / Fax |
|-------------------|----------------------------------|----------------|-------------------|
| Mr. Lamont Hunter | U.S. Patent and Trademark Office | Alexandria, VA | 1-703-746-6696 |

United States Patent Application
S.N. 10/511,433
Our ref.: 16867-2US MG/CC/iw

URGENT

As per your telephone request, attached is a signed copy of the transmittal letter (as well as a copy of the two signed letters which accompanied same). Thank you for bringing this to our attention.

Avocats et agents de brevets
et de marques de commerce

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| | | |
|---|---|--|
| FORM PTO-130 (REV. 11-2003) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 16867-2US MGA/m U.S. APPLICATION NO. (if known, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO. PCT/CA03/00617 | INTERNATIONAL FILING DATE April 24, 2003 | PRIORITY DATE CLAIMED April 24, 2002 |
| TITLE OF INVENTION METHOD FOR PREPARING TISSUE CONSTRUCTS | | |
| APPLICANT(S) FOR DO/EO/US | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(5)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Copy of International Preliminary Examination Report along with amended sheets pages 2 and 12 to 15, copy of the Written Opinion; copy of the PCT Request; copy of Form PCT/IB/308 and copy of International Search Report. | | |

Page 1 of 2

| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. PCT/CA03/00817 | | ATTORNEY'S DOCKET NUMBER 16867-2US MGJ/vi | |
|--|---------------------|---|-------------|--|------|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... | | | | \$1080.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | | | | \$920.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | | | | \$770.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | | | | \$730.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | | | | \$100.00 | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$ | 850 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 26 - 20 = | | x \$18.00 | \$ | 108 |
| Independent claims | 3 - 3 = | | x \$86.00 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$250.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | 1058 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | -529 |
| SUBTOTAL = | | | | \$ | 529 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | 529 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | 529 |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. | | | | | |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-5113</u> in the amount of \$ <u>529</u> to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-5113</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| OGILVY RENAULT Suite 1600 1881 McGill College Montreal, Quebec Canada H3A 2Y3 Customer number: 020988 | | | | | |
|  SIGNATURE | | | | | |
| CHRISTIAN CAWTHORN NAME | | | | | |
| 47,362 REGISTRATION NUMBER | | | | | |

FORM PTO-1290 (REV. 10-2003) Page 2 of 2

Patent
Attorney Docket No. 16867-2US MG/vl**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: François A. Auger et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HERewith

INTERNATIONAL APPLICATION NO.: PCT/CA03/00617

INTERNATIONAL FILING DATE: April 24, 2003

FOR: METHOD FOR PREPARING TISSUE CONSTRUCTS

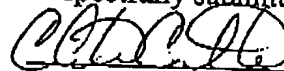
REQUEST FOR CONSIDERATION OF DOCUMENTS CITED IN
INTERNATIONAL SEARCH REPORTAssistant Commissioner for Patents
Washington, DC 20231
U. S. A.

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Date: October 22, 2004

Respectfully submitted,

Christian Cawthorn
Registration No. 47,352OGILVY RENAULT
1981 McGill College Avenue, Suite 1600
Montreal, Quebec
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(514) 847-4256

Patent
Attorney Docket No. 16867-2US MG/lyl**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: François A. Auger et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HERewith

INTERNATIONAL APPLICATION NO.: PCT/CA03/00617

INTERNATIONAL FILING DATE: April 24, 2003

FOR: METHOD FOR PREPARING TISSUE CONSTRUCTS

REQUEST FOR PRIORITY UNDER 35 U.S.C. 119(e)
AND THE INTERNATIONAL CONVENTIONAssistant Commissioner for Patents
Washington, DC 20231
U. S. A.

Sir:

In the matter of the above-identified application for patent, notice is hereby given that the applicant claims as priority:

| <u>COUNTRY</u> | <u>APPLICATION NO</u> | <u>DAY/MONTH/YEAR</u> |
|----------------|-----------------------|-----------------------|
| USA | 60/374,786 | April 24, 2002 |

Certified copies of the corresponding Convention application(s) were submitted to the International Bureau in PCT Application No. PCT/CA03/00617.

Date: October 22, 2004

Respectfully submitted,

Christian Cawthorn
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(514) 847-4256**BEST AVAILABLE COPY**